

PATENT
Docket No.: 19603/10303 (CRF D-1043A)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gonsalves et al.)
Serial No. : Continuation of 08/495,484)
Filed : Herewith)
For : TOSPOVIRUS RESISTANCE IN PLANTS)

Examiner:
To Be Assigned
Art Unit:
To Be Assigned



STATEMENT IN ACCORDANCE WITH 37 CFR §§ 1.821(f) AND 1.825(b)

Assistant Commissioner for Patents
Washington, D.C. 20231
Box: Patent Application

Sir:

In accordance with 37 C.F.R. §§ 1.821(f) and 1.825(b), this statement confirms that the contents of the accompanying Sequence Listing and on the computer readable 3.5" Diskette submitted herewith are the same.

As compared to the sequence listing appearing on pages 57, line 26 to page 75, line 9 of parent U.S. Patent Application Serial No. 08/495,484 as originally filed (a copy of which is being filed herewith), the accompanying Sequence Listing contains the changes identified below.

The amino acid sequence corresponding to SEQ. ID. No. 5 is listed as having 2216 bases instead of 2265 bases as set forth in the original parent application. As noted on page 9 of the application, however, this sequence is from De Haan, et al., "The S RNA Segment of Tomato Spotted Wilt Virus has an Ambisense Character," J. Gen. Virol., 71:1001-08 (1990) ("De Haan 1990") and is said to be reported in GeneBank Accession No. D00645. The above-noted change to the nucleotide sequence of SEQ. ID. No. 5 is made so that that sequence is consistent with the authorities cited by the present application as disclosing this sequence.

The amino acid of SEQ. ID. No. 7 in the accompanying sequence information is different than that set forth in the original parent application, because the amino acid Asp is

changed to the amino acid Lys at position 186. Again, this is consistent with the deduced amino acid sequence in De Haan 1990.


The amino acid sequence of SEQ. ID. No. 12 in the accompanying sequence information differs from that set forth in the original parent application in that the amino acid Glu should be changed to the amino acid Phe at position 203 and the amino acid Gln should be changed to the amino acid Trp at position 250. These changes are supported by the nucleotide sequence of SEQ. ID. No. 14 which contains nucleotides encoding the amino acid sequence of SEQ. ID. No. 12.

The nucleotide sequence of SEQ. ID. No. 15 in the accompanying sequence information is indicated to have 777 nucleotides instead of the indicated 778 in the original parent application. In addition, SEQ. ID. No. 15 has been changed in the accompanying materials to start with TT and to delete GG at the end of the sequence. All of these changes are supported by the nucleotide sequence of SEQ. ID. No. 14 which contains the nucleotide sequence of SEQ. ID. No. 15 (from nucleotide 2121 to nucleotide 2898).

For all the foregoing reasons, applicants submit that the accompanying sequence information does not contain new matter.

Respectfully submitted,

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